

TRANSCRIPT OF PROCEEDINGS BEFORE
THE SENATE OF THE STATE OF TEXAS
EIGHTY-FIRST LEGISLATURE
(COMMITTEE OF THE WHOLE SENATE)
AUSTIN, TEXAS

IN RE: §
§
CONSIDERATION OF §
SENATE BILL 362 §

COMMITTEE OF THE WHOLE SENATE

TUESDAY, MARCH 10, 2009

BE IT REMEMBERED THAT AT 12:38 p.m., on Tuesday, the 10th day of March 2009, the above-entitled matter was heard at the Texas State Capitol Senate Chamber, Austin, Texas, before the Committee of the Whole Senate; and the following proceedings were reported by Aloma J. Kennedy, a Certified Shorthand Reporter of:

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1 issues. And one of the good things about the
2 Federalist Society, if you ever come to one of its
3 panel discussions is, and like a lot of organizations,
4 The Federalist Society tries to get people on both
5 sides of an issue so that you can have a good
6 discussion and get different points of view.

7 SEN. ELLIS: Thank you.

8 SEN. DUNCAN: Members, there's no other
9 persons registered, so the witness will be excused.

10 MR. von SPAKOVSKY: Thank you,
11 Mr. Chairman.

12 SEN. DUNCAN: Thank you, sir.

13 The Chair calls Tova Andrea Wang.
14 Ms. Wang, you have 10 minutes. And you can begin.
15 And state your name and who you represent.

16 **TESTIMONY BY TOVA ANDREA WANG**

17 MS. WANG: Sure. Thank you. My name is
18 Tova Andrea Wang. Thanks very much for allowing me to
19 come testify today. I'm Vice President for Research
20 at Common Cause, a non-partisan national organization
21 with 36 state chapters, including one right here in
22 Texas. And I have spent the last several years doing
23 research and writing and speaking on elections issues
24 and voting rights issues.

25 I want to start out talking about the

1 disenfranchising impacts of voter ID such as this. I
2 know that for probably all of you in the room -- and I
3 would include myself -- it seems so easy. You have an
4 ID in your pocket right now, probably several. But I
5 have to really emphasize to you all that it's not the
6 case for everybody. For some people they don't have
7 their ID, and it would be a real hardship for them to
8 get that ID, and we need to understand this group in
9 our society. In fact, about 10 percent of the
10 American people don't have government-issued photo ID.
11 And as has been pointed out repeatedly today, this is
12 disproportionately the case with African-Americans,
13 immigrants, the poor, people with disabilities, senior
14 citizens and students.

15 There have been numerous studies to this
16 effect. I want to point out one in particular,
17 Brennan Center survey talking just about income.
18 People with incomes lower than \$35,000 a year are
19 twice as likely not to have the kind of ID we're
20 talking about. 38 percent of Texans have incomes that
21 are less than \$35,000 a year. African-Americans are
22 three times less likely to have ID than whites. And,
23 in fact, one-fourth of African-Americans don't have
24 government-issued photo ID.

25 So this is what I'm talking about when

1 I'm talking about thinking about a group in our
2 society that maybe some of us don't have every day
3 interaction with. People always talk about how
4 everyone has ID, you need it to fly and rent a DVD and
5 all of these kinds of things.

6 Now, I know Hurricane Katrina is
7 starting to seem like a long time ago now, but I want
8 us to think back for a second about all those people
9 in the Astrodome. They were there because they
10 couldn't get out, because they don't have driver's
11 licenses, they don't have cars, they're not going out
12 and renting DVDs on the weekends and flying on
13 vacations. So this whole notion that everyone has ID
14 is just untrue. Many poor people don't.

15 We talked a lot about fraud today, too.
16 There is also a lot of mythology around that. I want
17 to point out to you that the U.S. Department of
18 Justice has never brought a case in the last several
19 years of the type that would be addressed by a voter
20 ID law such as this.

21 Now, we know this was in an environment
22 in the last several years in which U.S. attorneys were
23 under tremendous pressure to bring cases of voter
24 fraud against people, and people were -- allegedly at
25 least -- fired for not doing so; and, yet, not one